



## Administrative Office of the Courts

FOR IMMEDIATE RELEASE

Aug. 14, 2018

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### STATEMENT ON THREATS AGAINST TAOS JUDGE

SANTA FE – Administrative Office of the Courts Director Artie Pepin today issued the following statement in response to threats against Eighth Judicial District Court Judge Sarah Backus for a ruling allowing the pretrial release of five criminal defendants who were arrested at a compound in Taos County.

“New Mexico judges take an oath to uphold the Constitution and the state’s laws. Eighth Judicial District Court Judge Sarah Backus carried out her responsibility on Monday in ruling on a motion that sought the pretrial detention of defendants charged with child abuse in Taos County. The judge has come under attack in social media, email and telephone calls because of her ruling. However, the judge’s responsibility is to fairly and impartially apply the law and make a decision based on evidence presented to the court. A judge’s responsibility is to follow the law—not popular sentiment that may develop from incomplete or misleading information.”

“The New Mexico Constitution has guaranteed since statehood that people charged with a crime have a right to be released pretrial, except in limited instances. The state Constitution provides that criminal defendants may be detained in jail pretrial only if prosecutors show by clear and convincing evidence that they are so dangerous that no release conditions will reasonably protect public safety. The judge ruled that prosecutors failed to meet that burden. People may disagree over what constitutes dangerousness in any given case, and the district attorney can appeal the judge’s decision. But every judge in New Mexico takes seriously their responsibility to establish conditions of pretrial release for criminal defendants that will protect public safety and assure a defendant’s return to court for future proceedings.”

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